

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE VERIFIED) CAUSE NO. 43280
PETITION OF SAGE TELECOM FOR THE)
PROTECTION OF CONFIDENTIAL AND) DISMISSAL ORDER
PROPRIETARY INFORMATION IN ITS)
ANNUAL REPORT TO THE COMMISSION) APPROVED: SEP 19 2007

BY THE COMMISSION:

Larry S. Landis, Commissioner

Lorraine Hitz-Bradley, Administrative Law Judge

On April 27, 2007, Sage Telecom ("Sage" or "Petitioner") filed its Petition with the Indiana Utility Regulatory Commission, as captioned herein.

On May 4, 2007, the Presiding Officers granted Sage's requested confidential treatment on a preliminary basis through a docket entry. Thereafter, the Presiding Officers issued a docket entry on June 4, 2007, stating that the records for which Sage had requested confidential treatment were required to be filed by state statute. As a consequence, such documents could not be excepted from public disclosure as Sage had requested. The Presiding Officers advised Sage that it was required to file the documents at issue, or request an *in camera* hearing to argue why such documents should be accorded confidential treatment. On June 11, 2007, Sage filed its *Request for an In Camera Hearing*. The Presiding Officers granted Sage's request by docket entry, and set the matter for evidentiary hearing on July 20, 2007. On July 10, 2007, Sage filed its *Verified Motion for Continuance*, which was granted by docket entry on July 12, 2007. The matter was set for evidentiary hearing on September 11, 2007, at 9:30 a.m. in IURC Conference Center, Suite 220, Judicial Courtroom 224 of the National City Center, 101 West Washington Street, Indianapolis, Indiana.

On September 11, 2007, Sage filed its *Motion For Voluntary Dismissal Without Prejudice* ("Motion").

The Commission, being duly advised, hereby finds that this matter should be dismissed without prejudice to refiling. The evidentiary hearing scheduled for September 11, 2007 in this Cause is hereby vacated.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The Verified Petition of Sage Telecom for the Protection of Confidential and Proprietary Information is hereby dismissed without prejudice to refiling.

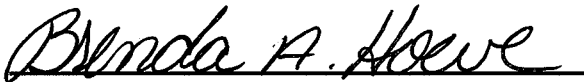
2. This Order shall be effective on and after the date of its approval.

HARDY, GOLC, LANDIS, SERVER AND ZIEGNER CONCUR:

APPROVED:

SEP 19 2007

**I hereby certify that the above is a true
and correct copy of the Order as approved.**

A handwritten signature in cursive script, reading "Brenda A. Howe", is written over a horizontal line.

Brenda A. Howe

Secretary to the Commission